



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 90-60 – Regulations Governing the Registration of Medication Aides
Department of Health Professions
May 8, 2008

Summary of the Proposed Amendments to Regulation

The Board of Nursing (Board) proposes to amend its Regulation Governing the Registration of Medication Aides to allow medication aides to mix and administer glucagon.

Result of Analysis

The benefits of this proposed regulatory change likely exceed its costs.

Estimated Economic Impact

Current regulations (promulgated in 2007) prohibit medication aides from mixing, diluting or reconstituting any drug except for insulin. The Department of Health Professions (DHP) reports that the Board inadvertently left glucagon out of regulatory language that allows medication aides to mix and administer insulin to diabetic residents of assisted living facilities. The Board proposes to correct this oversight by amending these regulations so that medication aides will be able to mix and administer glucagon as well as insulin.

Glucagon is a rescue drug that is administered to diabetics who have gone into insulin shock. Currently, medication aides are required to complete a training module that covers preparing and administering both insulin and glucagon. Adding language to these regulations that allows medication aides to mix glucagon will likely benefit diabetic residents as they will likely get proper treatment more quickly if they go into insulin shock. Owners of assisted living facilities will benefit because, absent a fix of this oversight, they would likely have to hire other individuals who have the authority to mix and dilute (licensed practical nurses, licensed registered nurses, pharmacists or doctors) at a likely higher hourly wage to ensure that diabetic

residents got proper in-house treatment. This change is unlikely to cause any costs for any individual affected by these regulations.

Businesses and Entities Affected

These proposed regulations affect all medication aides, and the assisted living facilities where they are employed, as well as any diabetic residents of assisted living facilities. DHP reports that there are currently 76 medication aides registered with the Board and 625 assisted living facilities licensed by the Department of Social Services. As registration is not required until December 31, 2008, the number of registered medication aides is likely to rise at the end of this year.

Localities Particularly Affected

No locality will be particularly affected by this proposed regulatory action.

Projected Impact on Employment

This regulatory action will likely allow assisted living facilities to continue employing medication aides to mix and administer glucagon (as needed) to diabetic patients. Absent this regulatory change, owners of these facilities would likely have to hire other individuals who have the authority to mix and dilute (licensed practical nurses, licensed registered nurses, pharmacists or doctors) at a likely higher hourly wage.

Effects on the Use and Value of Private Property

This regulatory action will likely allow owners of private assisted living facilities to avoid having to employ (likely higher paid) individuals who are authorized to mix, dilute and reconstitute drugs specifically to administer glucagon. To the extent that this allows these owners to keep costs down, they will not experience a decrease in their profits.

Small Businesses: Costs and Other Effects

Small businesses in the Commonwealth are likely to avoid costs on account of this regulatory action.

Small Businesses: Alternative Method that Minimizes Adverse Impact

Small businesses in the Commonwealth are likely to avoid costs on account of this regulatory action.

Real Estate Development Costs

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.